

AN ACT to provide for the Internal Improvement of this State.

WHEREAS, the present condition of this State calls for a general system of internal improvement, which will tend greatly to its wealth, population, and resources, encouraging its agriculture, and promote its commerce:

Section 1. Be it enacted by the legislature of the State of Mississippi, That there shall be elected, by joint ballot of both houses of the legislature, three persons, citizens of this State, who shall be commissioners for the internal improvement of this State; and they shall be styled "the board of internal improvement for the State of Mississippi." They shall be elected biennially; and if any vacancy shall happen in the said board, by death, removal from the State, or refusal to act, the Governor for the time being shall appoint to fill such vacancy; which appointment shall continue until the next meeting of the legislature.

Sec. 2. Be it further enacted, That the sum of five millions of dollars be raised, by means of a loan to said board of internal improvement; to facilitate which loan of five millions of dollars, the faith of the State be, and the same is hereby pledged both for the security of the principal and interest; and that two thousand five hundred bonds, of two thousand dollars each, to wit: six hundred and twenty-five payable in fifteen years, six hundred and twenty-five payable in twenty years, and bearing interest at the rate of six per centum per annum, shall be signed by the Governor of this state, and countersigned by the Treasurer, to the order of the board of internal improvement of the State of Mississippi, under the seal of the State.

Sec. 3. Be it further enacted, That the said bonds so issued shall be in the following words, to wit:

Know all men by these presents, that the State of Mississippi acknowledges to be indebted to the board of internal improvement of the State of Mississippi in the sum the said State of Mississippi promises to pay in current money of the U. S. to the order of the president of the board of internal improvement of the State of Mississippi, on the with interest at the rate of six per cent. per annum, payable half yearly, at the place named in the endorsement thereto, viz: on the day of every year, until the payment of the said principal sum. In testimony whereof, the Governor of the state of Miss., has signed, and the Treasurer of the State has countersigned, these presents, and caused the seal of the State to be affixed thereto, at Jackson, this _____ year of our Lord

Governor.
Treasurer.

Sec. 4. Be it further enacted, That said bonds may be transferable by the endorsement of the president of said board, to the order of any person whomsoever, or to the bearer; and said endorsement shall fix the place the said principal and interest shall be paid.

Sec. 5. Be it further enacted, That the sum of five millions, when obtained by the loan aforesaid, shall be deposited in the Union or Planters' bank, or both, if said bank or banks will undertake and agree to pay the interest accruing on said bonds for the time the money so deposited shall remain on deposit, and charge the State with the amounts legally drawn therefrom, with interest at the same rate upon the amount so drawn, from the date the check or checks drawing the same shall be paid, and keep the same, subject to the order of said board, or such disposition as the legislature shall direct. And if the said bank or banks shall refuse to make such agreement, then the board shall deposit the same, on the best terms they can obtain, in any of the specie paying incorporated banks of this State.

Sec. 6. Be it further enacted, That the said board of internal improvement is hereby authorized and required to cause to be constructed a rail road from the Mississippi city, if the Mississippi city Company shall obligate themselves to give to the State, to aid in constructing the said road, one half of the net proceeds of the sales of the remaining unsold lots embraced in the survey of the said city; and, if said company shall refuse to make such donation; then from some other point near the said city, to some point in Pontotoc county; and laterals therefrom, one extending to some point in Tishomingo county, and one extending to the Mississippi river at some point in the county of Tishomingo. And, to effect which, they are hereby authorized to make such contract or contracts, not consistent with the provisions of this act, as may be necessary to purchase such lands at the terminations of said road and laterals, and all the intermediate points for the State, as they may deem necessary, and of advantage to the State.

Sec. 7. Be it further enacted, That the said board of internal improvement are hereby authorized and required to cause to be constructed a rail road from the city of Jackson, to connect with the rail road from the Mississippi City, at Pontotoc, or some other suitable place in a northwardly direction from the city of Jackson.

Sec. 8. Be it further enacted, That they shall have power to employ all such engineers, overseers, agents, laborers, and servants, as may be necessary to effect the intent of this act, and allow the proper compensation for their service; to purchase and introduce into this State any number of slaves which they may find necessary or useful in the construction of rail roads or the improvement of rivers; which slaves, when purchased, shall be the property of the State, and subject to such disposition as the legislature may make. They shall cause such improvements to be made in the navigation of the various rivers of this State, as they shall deem necessary; and, for that purpose, the sum of five hundred thousand dollars of the sum hereby raised shall be applied by said board.

Sec. 9. Be it further enacted, That the said board of internal improvement shall have power to sue and be sued, plead and be impleaded, contract and be contracted with, and do all such things as may be necessary for the purpose herein enacted, and not inconsistent with the constitution and laws of this State. They shall report to every session of the legislature, whether general, special, or adjourned, a statement of their proceedings—showing the contracts or contracts they have made, the estimate of rail roads, the amount expended by them, and every thing connected with their duties. They shall receive compensation as the legislature may from time to time allow; and the chief engineer and all officers connected with said board shall, severally, before entering upon their duties, take and subscribe an oath faithfully to discharge the duties of their office, and that they will not directly or indirectly be interested in any contract or business which may be purchased, spent, or for any thing else connected with the duties of their office—a copy of which oath shall be filed in the office of the Secretary of State.

Sec. 10. Be it further enacted, That the said board of internal improvement may elect one of their own body president thereof; and, in all contracts made by and with said board, the signature of the president shall be binding thereon. They may make such by-laws, rules, and regulations, as may be necessary for their government, not inconsistent with this act or the laws of this State.

Sec. 11. Be it further enacted, That there shall be elected, by joint ballot of both houses of the legislature, an engineer, to be styled "chief engineer, of Mississippi," who shall continue in office for the term of two years, unless sooner removed; he shall be subject to the rules of the board of internal improvement, make and preserve all such surveys, maps, and profiles, of rail road routes and rivers, as he shall be directed to make by such board, and do and perform all such things as pertain to the office of a chief engineer. He may be removed by the Governor of the State, upon a showing made by the board of internal improvement, that he is incapable to the discharge of his duty. He shall keep his office at the seat of government, shall make a duplicate of all surveys, plans, maps, or profiles, of roads, and deposit the same in the office of the Secretary of State. In case of the death, resignation, or the removal of the chief engineer, it shall be the duty of the Governor to supply the vacancy, by appointment, until the meeting of the next legislature.

Sec. 12. Be it further enacted, That the chief engineer of Mississippi shall be allowed an annual compensation of five thousand dollars, payable out of the funds hereby created. Before entering upon the duties of his office, he shall take and subscribe an oath faithfully to discharge the duties thereof—which oath shall be filed, by the office of the Secretary of State.

Sec. 13. Be it further enacted, That the said board of internal improvement shall have power to appoint, should they deem it advisable, one or more experienced persons to negotiate the bonds to be issued in compliance with this act, and allow such compensation therefor as may be reasonable: Provided, said bonds shall not be sold under their par value in the market in which they are sold.

Sec. 14. Be it further enacted, That the said board of internal improvement may apply to the Congress of the United States, on the part of this State, for the cession of all vacant lands through which any rail road route shall pass, they may determine to construct, and the routes of the rail roads they are required to construct by this act; also, for the cession of all vacant lands on and adjoining the various navigable rivers of this State; they may make application to the Congress of the United States for the passage of a law authorizing the State to invest, under the direction of the legislature, the two per cent. fund arising from the sales of public lands, which is now subject to the disposition of Congress, and to be applied to roads leading to and from the State.

Sec. 15. Be it further enacted, That the second section of this act, whereby the faith of this State is pledged for the payment and redemption of the loan contemplated by this act, be referred to the next legislature of this State, in pursuance of the ninth section of the seventh article of the constitution; and that this act be published, under the direction of the Governor, in at least three newspapers published in this State, for three months previous to the next regular election; and that this act, together with the year and days thereon, be entered on the journals of the Senate and House of Representatives.

Sec. 16. Be it further enacted, That it shall not be lawful to sell the bonds contemplated by the second and third sections of this act for any amount less than the sum mentioned in the face of such bonds respectively, together with interest on such bonds from their date up to the time of sale at the rate of six per cent. per annum, in gold or silver, or both; nor shall it be lawful for the said commissioners to receive and bring into this State, from the proceeds of the sale of such bonds, any other currency or thing save gold or silver, or both.

Sec. 17. And be it further enacted, That the next or any subsequent session of the legislature of this State may change, alter or amend, the provisions of this act: Provided, such change, alteration, or amendment, shall not impair the primary object of this act; which is hereby declared to be for the construction of rail roads and clearing out rivers in this State: And provided that the section of this act whereby the faith of the State is pledged shall not be subject to any change or alteration.

JOHN W. KING,
Speaker of the House of Representatives.
A. L. BINGAMAN,
President of the Senate.

Approved, as far as the action of this legislature is recognized,
February 14, 1839.

A. G. McNUTT,
14—3m.

AN ACT to aid the commercial rail road and banking company of Vicksburg to prosecute effectually their work of Internal Improvement, and for other purposes.

WHEREAS, the encouragement of internal improvement is deemed, by the legislature, a subject of the highest importance and deepest interest to the people of Mississippi; and whereas, he president, directors, and company, of the Commercial rail road bank of Vicksburg, have manifested most ardent zeal and untiring industry in the prosecution of the Vicksburg and Jackson rail road, at a time when all the resources of the country seemed necessary to protect the credit and character of banking department; and whereas, the legislature are sensible of the vast importance of speedily completing the said road, without impairing the usefulness of the banks.

Sec. 1. Be it enacted by the legislature of the State of Mississippi, That in order to facilitate the said improvement without depriving the people of the benefits of the bank, that two hundred bonds of five thousand dollars each, payable twenty years after date, to the order of the president, directors, and company, of the Commercial and Rail-road bank of Vicksburg, bearing interest at the rate of six per cent per annum, shall be signed by the governor of the State, countersigned by the state treasurer, and under seal of the state; and the faith of the state be, and the same is hereby, pledged for the punctual payment of the principal and interest of said bonds; said bond to be in the following words, to wit:

Know all men by these presents, that the state of Mississippi acknowledges herself to be indebted to the president, directors, and company, of the Commercial and rail road bank of Vicksburg, in the sum of five thousand dollars, current money of the United States, which sum the said state of Mississippi promises to pay to the order of the president, directors, and company, of the Commercial and rail road bank of Vicksburg, twenty years after date hereof, with interest at the rate of six per cent per annum from date of the endorsement, payable semi-annually at the place mentioned in the endorsement hereof. In witness whereof, the governor of the state of Mississippi has signed, and the treasurer of the state has countersigned, these presents, and caused the seal of the state to be affixed thereto, at Jackson, this _____ day of _____ in the year of our Lord

Governor.
Treasurer.

Sec. 2. And be it further enacted, That the said bonds may be transferable by the endorsement of the president and cashier of said bank, to the order of any person or persons whomsoever, or to the bearer; and the said endorsement shall fix the place where the said principal and interest shall be paid; and all the expenses incurred therein shall be defrayed by the said bank.

Sec. 3. And be it further enacted, That both the principal and interest of said bonds shall be paid by said bank at the time they shall severally fall due.

Sec. 4. And be it further enacted, That to secure the payment of the principal and interest of the said bonds, [when] either or both shall fall due by the said bank, the execution and delivery of said bonds to the said president, directors, and company, of the Commercial rail-road bank of Vicksburg, shall have the force and effect of a mortgage upon the said Vicksburg and Jackson rail-road to the state of Mississippi, which may be foreclosed by the state, upon any failure of the said president, directors, and company, to pay either the interest or the principal of said bonds, according to the tenor and effect and the endorsement thereon.

Sec. 5. And be it further enacted, That the section of this act, whereby the faith of this state is pledged for the payment and redemption of the loan contemplated by this act, be referred to the next legislature of this state, in pursuance of the ninth section of the seventh article of the constitution, and that this act be published under the direction of the governor, in at least three newspapers, published

in this state, for three months previous to the next general election, and that this act, together with the year and days thereon, be entered on the journals of the senate and house of representatives.

Sec. 6. And be it further enacted, That the expense of newspaper advertisement mentioned in this act, shall be paid by the said rail-road company.

Sec. 7. And be it further enacted, That the powers, rights, and privileges, conferred by this act, and the act incorporating the commercial and rail road bank of Vicksburg, and the several acts supplementary or amendatory thereto, shall be in full force and continue until the year one thousand eight hundred and eighty; after which time the said rail road shall become and be the property of the state.

JOHN W. KING,
Speaker of the house of Representatives.
A. L. BINGAMAN,
President of the Senate.

Approved, February 15, 1839.
A. G. McNUTT,
The Eastern Clarion, Natchez Free Trader, Marshall County Republican, Southern Reporter, Columbus Democrat, and Vicksburg Sentinel will publish the above once a week for three months.

Sept. 7th, 1839. 3m.

SHUFF SALE.

By virtue of a Sundry Executions to me directed from the circuit court of Marshall county I will sell at the court house in Holly Springs on the 21st day of October next Lots No 12 and 13 as laid down on the addition to the plan of Holly Springs, on section 31 Township 3 Range 2 west as the property of James M. Ross, at the instance of John D. Alexander, Green Bourland and others. Sale within Lawful hours.

L. McCROSKY, sh'ff.
By W. EPPS, D. Sh'ff.
September 6th, 1839.
3—Printers fee \$5.

Strayed or stolen.

TAKEN from the camp ground near Salem on Sunday night 15th inst. a large sorrel horse blaze face, legs white a short distance up, right hip a little hip shotten, a new quilted saddle with stirrups iron not matched the left another has been broken near the top. I will give \$10 reward for the horse & saddle, and fifty dollars for the thief if delivered to me at my residence in Marshall co. two miles west of Salem.

The Nashville Union will please give the above two insertions and forward their account to this office for payment.

WM. AYRES.

Sept. 17th, 1839.

ADMINISTRATOR'S NOTICE.

In pursuance of an order of the Honorable Probate Court of Pontotoc co. I will proceed to sell to the highest bidder at the Court House door in the town of Holly Springs, on the 7th day of Oct. 1839. (on a credit of 12 months,) the following described quarter sections of land belonging to the estate of Erasmus P. McDowell, deceased.

To Wit—To wit—South west 1-4 of sec 23 T 3 R 2 west south east 1-4 of sec 23 T 3 R 2 west south east 1-4 of sec 23 T 3 R 2 west south east 1-4 of sec 13 T 3 R 2 west south east 1-4 of sec 32 T 4 R 8 west south east 1-4 of sec 24 T 7 R 6 west south east 1-4 of sec 13 T 7 R 6 west north east 1-4 of sec 32 T 8 R 8 west north east 1-4 of sec 7 T 2 R 2 east south west 1-4 sec 7 T 2 R 2 east; south west 1-4 sec 9 T 3 R 3 east; south west 1-4 sec 10 T 6 R 2 east; south west 1-4 sec 12 T 2 R 3 east; north east 1-4 sec 14 T 7 R 3 east; south east 1-4 sec 15 T 5 R 2 east; south west 1-4 sec 25 T 1 R 3 east; north east 1-4 sec 24 T 1 R 3 east; south east 1-4 sec 26 T 3 R 7 east and the north east 1-4 of sec 25 T 3 R 7 east.

Bonds with approved security will be required of purchasers.

TILLOTSON B. McDOWELL one of the Administrators of the estate of Erasmus P. McDowell deceased.
Pontotoc, Aug. 20th, 1839.—tf

Taken up by Samuel P. Ingram living 15 miles north west of Holly Springs one read Steer with some white spots on him marked with a crop and underbit in the left and under slope off the right; appraised to \$20.

A also one large brindle steer, supposed to be of the Indian breed marked with an over bit in the Right and swallowwork in the left 12 years old; appraised to \$15 Sept. 3, 1839.

Taken up by Norfield Smith living at the cross roads 9 miles west of Holly Springs 1 light bay horse six years old last 8 ring, both hind feet white a small knot on his right fore leg about four feet and eleven inches high appraised; to \$60.

G. W. GRAHAM,
ranger.
September 1st, 1839.

NOTICE.

BY virtue of an Execution to me directed from the Circuit Court of Marshall co. I will sell for cash at the court-house door in Holly Springs, on Monday to 21st of Oct. next, two lots in the town of Chalmers, as lots no. 31-34, property of Wm. T. Cooper, to satisfy an execution in favor of R. P. Dean president of the Police of Tiptah co. Sail in the hours prescribed by law.

L. McCROSKY, sh'ff.
By D. M. DAVIS, dep't sh'ff.
Sept. 19th, 1839. 4w.—Pr's. Fee \$5.

TAKEN up by Roderick R. Williams five Steers viz: one yellow, white and red Steer marked with a crop on the left ear supposed to be 10 years old, appraised to \$3. Also one red steer with a bell on, marked with a crop in the left ear and a half crop in the right, branded on the hip with M, supposed to be 14 years old, appraised to \$15.

G. W. GRAHAM, Ranger.
Sept. 10th, 1839.

JUDGE MAURY'S CIRCULAR.

FELLOW CITIZENS:

Being a candidate for the office of Chancellor of the State of Mississippi, I have thought it proper to furnish you with some little information in relation to myself which may possibly assist those of you who are unacquainted with me, in forming an opinion of my character and qualifications.

I was born in Williamson county in the state of Tenn—was educated at Hayslip Academy, under the tuition of the late Rev. Gideon Blackburn, and studied law with John White Esq. of Franklin, afterwards Judge White of Alabama. In 1812, I emigrated to the state of Mississippi and settled and commenced the practice of Law in Warren County. I removed to Fort Gibson in Claiborne co. where I continued the practice of Law, until the spring of 1827, when having been elected by the legislature to the office of Judge of the Criminal Court of Adams county I removed to the city of Natchez, where I resided above five years, engaged in the duties of my profession and Office. In the year 1833, being then a citizen and planter of Holmes county I was elected to the office of Judge of the Second Judicial District of the state by the qualified electors of that district I held that office about four years, when I voluntarily retired from the Bench and settled in private life. I have spent the better half of my life in this State and I am attached to it only by the long residence, the character of its citizens and its civil institutions and laws; but also by many valuable social, religious and the dearest ties of affinity and blood, my interests; and my destiny, whatever it may be, is blended with that of the state and its citizens. I should therefore be impelled by every consideration of patriotism, of gratitude to my fellow-citizens, and of self-respect to devote my attention to the duties of the office; and you would have, I should hope, at least a sufficient guaranty, of my fidelity to the trust.

It remains for you to determine from the best information you may be able to obtain from the opinion of the Legislature in 1837, and that of a large portion of the people at a latter period, expressed in almost unequivocal and flattering manner—from my professional and judicial experience, and my general character as a citizen, whether or not I am entitled to your support. The office is one of the high dignity and honor, and involves in its administration the most important private rights and interest and in some degree the welfare and prosperity of the State, and I can only say, that in the event of my election, I would endeavor to discharge its duties in such a manner as might comport with its elevated character and claims and subserve the great purposes contemplated in its establishment.

JOHN M. MAURY.

No 20 th.

FALL & WINTER GOODS.
A GOOD SUPPLY ON HAND AND FOR SALE
BY MASON & KEELING.

1000 yds. TENNESSEE LIN ST.
JUST RECEIVED AND FOR SALE BY MASON & KEELING.

W. R. BAKER.

WILKINSON & MILLS,

ATTORNEYS AT LAW.

Holly Springs, Miss.

WILL practice in the 8th and adjoining Judicial Districts in the Chancery Court at Oxford, in the Federal Court at Pontotoc and in the high Court of Errors and appeals at Jackson.

JUNE 1, 1839—20—1, v

B. C. CARTWRIGHT & W. C. CLARK

CARTWRIGHT & CLARK.

HAVING associated themselves together in the practice of Law will attend the Circuit Courts of Yazoo, Holmes, Carroll, Choctaw, Yallobusha, and Tallahatchie and the Superior, State and Federal Courts, at Jackson and Pontotoc.

Office at Carrollton, Miss.

January 1, 1839.—6m.

ROGER BARTON & ALFRED H. DOWELL

WILL practice Law in copartnership.

They will attend the courts of Adams, Desoto, Pano'a, Lafayette, Pontotoc, Tiptah, and Yallobusha; the high court of errors and appeals, the Superior court of chancery, and the United States Court at Pontotoc. Office in Holly Springs.

Sept. 22-3-ly

VALUABLE PLANTATION FOR SALE.

I wish to sell the lands that I am living on, which is Section 29 & 32 & South half 2. to 4 of Range 2 of sec. four miles S. E. of Holly Springs. There is 300 acres, a good state of cultivation, with a shaded ripened fence. There is 500 acres of best quality of valley land. Very comfortable dwelling-houses and all other necessary out-buildings and first rate springs. A Well in the yard, a good Orchard, good grass lot, garden and yard paved in. Any person wishing to purchase a desirable plantation and good land, would do well to call and see it. I will sell all or divide it, to suit the purchaser. I will take one-third in hand, and the balance in one and two years. I would take some negroes or myself.

For further information call on Colbert Moore or myself.

JOHN B. MOORE.

January 19, 1839 tf

NOTICE.

Pursuant to a deed of trust executed to me, to secure the payments of a certain sum, therein named, by the late Aaron Root. I will proceed to sell to the highest bidder for cash, on the public square in the town of Pontotoc, on Monday the 28th day of October instant the following tracts of Land, viz: section twenty five township two (2) Range three (3) west and the south west quarter of section thirty two (32) township nine (9) Range three (3) East of the Basis Meridian of the Chickasaw Surveys.

SIMON JEFFREYS, Trustee.

October 3d, 1839.

No. 23—3t—Printers fee \$3